

IN THE COUNTY COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

TRACY SULLIVAN,
Petitioner,

v.

LEON COUNTY, FLORIDA,
Respondent.

Case No.05-CC-2466
SMALL CLAIMS/CIVIL

JOINT STIPULATION

The parties, TRACY SULLIVAN ("Ms. Sullivan") and LEON COUNTY, FLORIDA ("the County") through counsel, stipulate to the following:

WHEREAS, on March 31, 2005, the Leon County Animal Control Classification Committee classified the dog named "Deuce," a male pit bull mix, as "dangerous"; and

WHEREAS, the same Committee directed the final disposition of "permanent confinement" of Deuce; and

WHEREAS, on April 7, 2005, Ms. Sullivan contested the "dangerous" classification in the County Court; and

WHEREAS, the parties have successfully mediated this action subject to approval by the Leon County Board of County Commissioners;

NOW THEREFORE, in consideration of the foregoing recitals and the mutual covenants and promises hereinafter set forth, the parties do hereby agree and stipulate as follows:

1. Deuce shall remain securely enclosed within Ms. Sullivan's home. Deuce shall not leave Ms. Sullivan's home, including being outside of the home while still on her property,

except while controlled by a leash of sufficient tensile strength, not more than 4 feet in length and by a person capable of controlling the animal.

2. Ms. Sullivan shall post "Beware of Dog" signs and a picture of Deuce at each point of entry to her home.

3. Ms. Sullivan shall enroll Deuce in a basic dog obedience training class within thirty (30) days of the Court's order approving the Joint Stipulation. After successful completion of the training, Ms. Sullivan agrees to have Deuce apply for and receive the Canine Good Citizenship certification.

4. Prior to Deuce receiving the Canine Good Citizenship certification, the following shall apply:

- a. If Deuce is home alone (without a member of the Sullivan family present), he shall be kept in an appropriate-sized pet crate in a bedroom.
- b. If Deuce is home and the only other family member is Ms. Sullivan's minor son (currently age 13), then the deadbolts to the two door points of entry shall be locked. If anyone comes to either door requesting that the door be opened for any reason, then Deuce shall be confined to the bedroom prior to the door is being opened and closed.
- c. Nothing herein shall be construed as requiring Ms. Sullivan to confine Deuce to the bedroom or to put him in a crate while she or other adult members of her family are home, except if anyone comes to either door requesting that the door be open, the Deuce shall be physically restrained as set forth in provision 1 of this Joint Stipulation.

d. The provisions of this Paragraph 4, including subparts, shall expire upon Deuce receiving his Canine Good Citizenship certification.

5. Upon Deuce receiving his Canine Good Citizenship certification and a copy of said certificate being provided to the Director of Animal Control, the County shall rescind the existing classification of Deuce as a "dangerous dog" and shall discharge any requirements, except those expressly set forth herein, that Ms. Sullivan confine Deuce, muzzle Deuce, have Deuce tattooed, acquire a dangerous dog permit, or adhere to any other dangerous dog restrictions on imposed under sections 4-96 through 4-103, *Leon County Code of County Laws*, and section 767.12, Florida Statutes (2004).

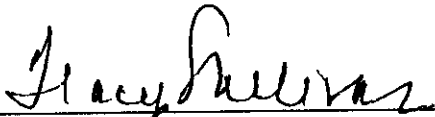
6. Upon signature of this Joint Stipulation by Ms. Sullivan and the Director of Animal Control, Deuce shall be immediately released into the care and supervision of Ms. Sullivan, and the provisions and restrictions of this Joint Stipulation shall apply.

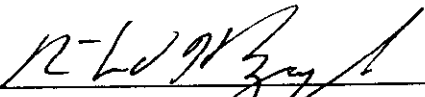
7. Ms. Sullivan shall be responsible for all boarding fees and waives any right to seek reimbursement from the County of same.

8. If Deuce is sold, traded, or given away by Ms. Sullivan, she shall notify the County's Animal Control Division prior to such exchange, and shall provide such Division with the name, address, and telephone number of the person receiving the animal. Tracy Sullivan shall further notify the new owner that he/she is, or they are, bound by the terms of this Joint Stipulation, and that taking possession of Deuce shall be considered acceptance of all terms and conditions thereof.

9. The Court shall retain jurisdiction of this matter for enforcement of this Joint Stipulation.

10. Ms. Sullivan shall file a Notice of Voluntary Dismissal within ten (10) days of the Court's Order approving this Joint Stipulation.


Tracy Sullivan, Petitioner


Richard Ziegler, Director
Leon County Animal Control

Approved as to form:



Rob McNeely, Esq.
Florida Bar No. 042994
Cynthia A. McNeely, Esq.
Florida Bar No. 147397
THE MCNEELY LAW FIRM
Mahan Oaks Center
2898-6 Mahan Drive
Tallahassee, Florida 32308
850/656-7780
850/656-7781 Fax

Attorneys for Petitioner



Herbert W.A. Thiele, Esq.
Leon County Attorney
Florida Bar No. 261327
301 South Monroe Street
Tallahassee, Florida 32301
850/487-1008
850/922-8916 Fax

Attorneys for Respondent